Analysis of Omnibus Law Based on Legal Development Theory

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Abstract. The implementation of the omnibus law in Indonesia requires a progressive approach to legal interpretation, considering not only the text of the law, but also other laws and regulations related to its material content. A constructive approach is needed to reconstruct the architecture of the national legal system in order to rearrange regulations for the economic ecosystem, based on rational reasons and fundamental legal arguments. Development law is a significant legal theory in addressing ongoing development objectives and complex social transformations, but its nature is influenced by the current political context, making it susceptible to the wills of development or power, rather than directing development based on clear criteria. Law should not only maintain order in society, but also empower change and development in an organized manner. Legal reform and education are important in fostering national law and supporting the functionalization of law in development. Investments in the regions are expected to stimulate economic growth and income distribution, creating job opportunities and reducing urbanization rates. To attract investments, regions need to identify and promote their potential, while creating a conducive climate and providing security guarantees and legal certainty for investors

Keyword : Omnibus Law, Legal Development Theory

1 Introduction

Formation of laws and regulations using the Omnibus Law method can be the best legal breakthrough that the government can take to overcome regulatory obesity, especially with regard to business licensing [1]. This aims to improve the investment climate in Indonesia as an effort to grow the economy. The Omnibus Law related to Job Creation is a strategic step that needs to be taken by the current government to accommodate legal needs accompanied by a process of accelerating technology-based businesses.[2]

The practice of crafting laws and regulations known as "omnibus law" is most frequently used in nations that follow the Common Law/Anglo Saxon legal system, like the United States, Canada, England, the Philippines, and others[3]. The Omnibus Bill is the final result of the Omnibus Legislating process. The word "omnibus" is derived from the Latin word meaning "everything" or "everything" (for everything).[4]

A method for overriding a regulatory standard is to create an omnibus law, which is a regulation or law made up of numerous subjects or subject matter. The Omnibus Law is different from other draft rules in terms of complexity, the number of items regulated (size), and the amount of content included.[5]. An omnibus law covers practically all connected substances, reflects integration, and codifies regulations with the ultimate aim of streamlining their application.[6]. The Omnibus Law legislation method, both theoretically and practically, is still not very well known in Indonesia.

Based on the practice of using the omnibus method in various countries as discussed above, it can be concluded that (1) the omnibus method is used because it has several advantages; (2) but contains various weaknesses; (3) there are several requirements regulated by countries to limit the

use of the omnibus method; (4) and there are several alternatives or solutions implemented by each country to overcome the various disadvantages of using the omnibus method.[7]

The role of law in national development, which is indicated by the term "as a means of development" or "as a means of community rejuvenation," can be succinctly defined as follows: First, legislation is a tool for social regeneration based on the notion that growth processes are ordered or have order..[8] Or the renewal is something that is desired or even deemed (absolutely) necessary; secondly, that law in the sense of rules or legal regulations can indeed function as a tool (regulator) or means of development in the sense of channeling the direction of human activity in the direction desired by development or renewal. Both of these functions are expected to be carried out by law in addition to its traditional functions, namely to guarantee certainty and order.

Mochtar Kusumaatmadja's concept of development law stems from a concern for the role of law which shows sluggishness in a developing society [9]. In order to have a contribution to development, the function of law is not enough to be limited to maintaining order in people's lives, a conservative function, but must also be empowered to direct change and development so that it takes place in an orderly and orderly manner. The law can thus become a tool or means in development. To carry out such a function, development law encourages the need for fostering national law which includes, among other things, legal renewal in fields that are neutral from a cultural and religious point of view, as well as legal education aimed at increasing technical and professional capabilities.

In general, Mochtar Kusumaatmaja's Theory of Growth Law is one of the legal ideas that has drawn significant attention from specialists and the general public throughout Indonesia's history of legal development.[10] The Theory of Development Law has garnered a lot of attention for a number of compelling reasons, which, if these aspects are applied globally, are as follows: First, because it was developed by Indonesians after studying the country's dimensions and culture, the Theory of Development Law is a legal theory that is now used in Indonesia. As a result, it is born, develops, and evolves in accordance with Indonesian conditions; thus, if it is put into practice, it will essentially be in accordance with the circumstances and situation of an Indonesian society that is pluralistic. Second, the Development Law Theory employs a framework of reference on the way of life of the Indonesian people and nation based on the Pancasila principle, which is familial in nature, resulting in relatively different dimensions for the norms, principles, institutions, and rules contained within the Development Law Theory. according to Lawrence W. Friedman, includes structure (structure), culture (culture), and substance (substance). [11]. Third, Development Law Theory fundamentally outlines the fundamental role of law as a "method of social regeneration" (law as a tool for social engineering) and argues that law as a system is essential for Indonesia as a developing nation..

Investments are acknowledged to play a significant part in a country or region's development. This is due to the fact that one industry that might serve as a cornerstone for raising Regional Original Income is investment (PAD)[12]. Investment also shapes the course of daily economic activities. The development of investment in an area is one indicator of the progress of economic growth in that area. Investments made properly can support the improvement of people's welfare.[13]

Regional governments can carry out its vision, mission, and regional development goals by enlisting the support of major industries and promoting production and trade operations.[14]. The growth of regional economic activities will then be encouraged and aided by these investment activities. Investor investment is one of the things that helps the local economy grow. With such quick changes, it is challenging to keep up with the expanding economic opportunities. All of this, however, heavily depends on local governments' capacity to act imaginatively and innovatively in order to seize these opportunities.

Based on the background above, the researcher intends to conduct research on the juridical analysis of employment copyright laws based on the theory of legal development related to investment policies in the regions. Based on the explanation above, this study seeks to find answers to the questions:

1. What is the juridical analysis of development law theory in the formation of the Job Creation Law or the Omnibus Law?
2. How is the reconstruction of the legal theory of development related to the Job Creation Law or the Omnibus Law?
3. What is the juridical analysis of the employment copyright law based on the theory of legal development related to investment policies in the regions?

2 Method

This research includes normative legal research using secondary data. This study is normative in nature and only looks at secondary data. An inventory of positive law, legal theory and principles, legal discovery in in concreto instances, legal systematics, the degree of legal synchronization, comparative law, and legal history are the main topics of normative legal studies.

This study's research specification employs analytical descriptive, which summarizes the research findings in terms of the issues and goals to be accomplished and analyzes them in light of the relevant legal and regulatory frameworks.[15]. Data is gathered through a literature review that comprises primary sources, such as the problem-related laws, and secondary sources, such as books on legal science literature and other relevant legal publications. Identification of data sources, identification of the necessary legal materials, and inventorying of the necessary legal materials are all steps in the literature study process (data). Based on the theme and sub-topics determined from the formulation of the problem, the acquired data is then processed through the processes of checking (editing), marking (coding), compiling (reconstructing), and systematizing (systematizing).

3 Discussion

3.1 Juridical Analysis of Development Law Theory in Forming the Omnibus Law

The rearrangement of laws and regulations and governance in Indonesia is no longer a period thing that is just being carried out, in every government regulatory reform is made into a government program, this rearrangement can use the omnibus law transplant method and consolidation law which are in the order of the law science method , with the hope that the use of this method can rearrange the legal norms that have been promulgated in several laws and regulations[16].

Through these two methods, the exploration of the text and the meaning of reading the science of law (legal interpretation) in the development of the national legal system in the context of the science of legislation and alignment with Law Number 12 of 2011 concerning the Formation of Legislation and Legislation as amended by Law Number 15 of 2019 Law on Amendment to Number 12 of 2011 concerning Formation of Legislation, is not interpreted formally legalistic, but through a progressive legal reading approach5 which reads the legal meaning of the alignment of the omnibus law method and consolidation law is interpreted throughout the making of statutory regulations adhere to the hierarchical system and fulfill the principles of establishing laws and regulations.

Glen S. Krutz, Hitching provides an overview of the application of this omnibus law in the preparation of regulations, it has been practiced since 1970, more clearly explained as follows: "omnibus legislation has "proliferated" since the 1970s"[17]. although in Indonesia the application

of the omnibus law method in the process of forming statutory regulations has only been specifically applied in legislative techniques whose scope changes several norms that are in the laws that have been enacted.[18]

The omnibus law method applied in the national legal system has been adapted through several approaches [19]. The hierarchy of legislative provisions largely coincides with the idea of legal dualism in the first case and the theory of legal transplanting in the second. It is possible to find references to omnibus law in some literary works. Omnibus law is a method of making laws that is mostly used in nations that follow common law or the Anglo-Saxon legal system, such the United States, Canada, England, the Philippines, and others. An omnibus bill is the end result of the procedure known as omnibus legislation. The Latin root of the term "omnibus" means "everything" or "everything" (for everything).

Specifically, laws that encompass a lot of material or the entirety of other laws that are interrelated, either directly or indirectly, according to Jimly Asshiddiqie's definition.[20]. Although this type of activity is undoubtedly uncommon in the "civil law" history, it is now accepted as good and is still used today under the name "omnibus law" or the Omnibus Law.[21]

The conception of the omnibus law method and the consolidation law method are considered as an appropriate solution for simplifying regulations and the concept of a constructive method for drafting laws and regulations without prejudice to the order in Law Number 12 of 2011 concerning Formation of Legislation as amended by Law Number 15 of 2019 concerning Amendments to Law Number 12 of 2011 concerning Formation of Legislation[22]. Despite the possible flaws in the two approaches, legal system transplanting might be viewed as an alternative to deregulation of laws and regulations and regulation simplification.

Globalization in the economic sector has brought about a change in the legal paradigm because every change in the economic sector will inevitably bring about a change in law and legal practice [23]. This is because globalization provides for the entry of various kinds of foreign legal institutions that adhere to the common law legal system into the Indonesian legal system which adheres to the civil law legal system.[24]

These changes indirectly result in legal conflicts caused by differences in legal systems. Differences in the legal system, where the Indonesian legal system has its own structure, substance and culture that is different from the common law legal system. As a result, in order to apply the omnibus legislation technique to Indonesia, which adheres to the civil law legal system, changes and renewals to the law are necessary.

Legal transplantation as a national legal development policy is a political decision that is in accordance with the heart and soul of Indonesian law, the soul and personality of the Indonesian nation, and the ideological-philosophical basis of Pancasila, which is the original paradigma of Indonesian culture and society. This decision is made in the activity of making legal norms concrete (basic policy) without ignoring the position and existence of Indonesia in the global arena. The law that is created as a result is one that acts locally, thinks internationally, and commits nationally. In order to avoid uprooting the laws that will be enforced in this country from the ideological-philosophical roots of the state and nation of Indonesia, the basic policy of making laws, which combines elements originating from foreign laws with laws originating from the original paradicmatic values of Indonesian culture and society, must be carried out carefully and with full calculation.

3.2 Reconstruction of Development Law Theory Related to the Omnibus Law

Social standards include law, but it is not the only one. Law is not the only thing that governs how people live in society; morality, religion, decency, and conventions also have a role. According to him, there is a strong mutually reinforcing relationship between law and other social standards. But in reality, there is a clear distinction between the law and other social norms since

the law is set up so that its provisions can be implemented in a systematic way. There are rules that must be followed about the form, manner, and means of implementation for coercion that is used to ensure the layout of legal provisions.

Because the law requires coercion for the arrangement of its provisions, the law requires power for its enforcers. This is why power is said by Mochtar to be an absolute element in a legal society in the sense of a society governed by and based on law. However, the power itself must be subject to the limits determined by law, both regarding the method and space for movement or implementation. This reciprocal relationship can be represented by the statement "law without power is wishful thinking, power without law is despotism".

The law known as Mochtar, which is one of the social regulations, strives to uphold and foster order in society. All laws have one primary objective in mind: to maintain order. An orderly society must have this demand for order in order for it to exist. The attainment of justice, which varies in scope and magnitude depending on society and the time period, is another objective of law in addition to maintaining order. As a result, the order that the law seeks to establish must likewise be more conducive to justice.

The reason that the law creates order demonstrates how the law serves as a tool to keep society in order. Mochtar refers to this form of function as a conservative function, which means that it upholds and preserves what has already been accomplished. In fact, any community, even one that is in the process of development, needs such a function because certain results need to be upheld, secured, and preserved. Law does not serve a conservative purpose in a developing society, which is marked by change. Additionally, he must be able to support social change in order for it to occur in a controlled and ordered fashion.

From this description it can be seen that the concept of development law from Mochtar Kusuma-atmadja actually wants to explain the role or function of law in a developing society, or in Indonesia it is known as national development. In a society that is currently developing, the law should not only maintain order, but also direct social change and development to take place in an orderly and orderly manner.

What is the future of development law in the legal system, particularly in Indonesia? As stated in the names of his two works, Mochtar contends that "national law formation" is imperative. In an effort to promote the rule of law, Mochtar emphasized the term's comprehensive definition, which incorporates all the tenets of human behavior as well as the institutions and procedures that represent how these laws are implemented. In fact, it is. Due to the enormous extent of this, legal development must be comprehensive and cannot be done solely through a normative approach. In fostering national law, Mochtar emphasized legal reform and improvement of legal education. In the matter of legal reform, the selection of the field of law is important, because there are things that urgently need to be developed which sometimes there is no choice but to do so, such as foreign investment. The selection of the field of law is also necessary because certain fields need fundamental changes for the sake of political, economic and social considerations as a result of colonialism, for example agrarian law, labor law, mining law and law related to industry. From the selection of this field of law, the Leader is of the view that it is necessary to postpone legal reform for fields that contain too many obstacles or complications that are cultural, religious, and sociological in nature, which he calls "not neutral", while "neutral" fields of law such as company law, contract law (agreement), and traffic law, can be renewed.

Mochtar's view, which on the one hand encourages change and unification of law for neutral fields and on the other hand allows non-neutral ones to remain plural, was later referred to as "building law based on an archipelago perspective", namely building national law by combining the goals of building a single national law, or unite with pay attention to the cultural diversity of the people who live in an archipelagic country. Establishing law in this way means seeking unity

whenever possible, and allowing diversity when circumstances require it, while still prioritizing certainty. In the matter of improving legal education, Mochtar views that in the long run, an effective approach to reforming the legal system of a developing country lies in reforming its legal education. The Jokowi administration's economic development agenda, which aims to hasten economic growth, is carried out by boosting national industrialization and attracting foreign investment. By passing the Omnibus Job Creation Law, which encourages policy changes in investment, trade, and sectoral priorities to maximize natural resources, this agenda was then carried out with the broadest deregulation strategy possible. The recently passed Omnibus Law seeks to streamline regulations in the context of streamlining the application process for business licenses and getting rid of rules and laws that discourage investment. It is thought that structuring regulations to include a licensing component will make doing business easier and attract more investment to Indonesia, both of which will lead to the creation of jobs that can accommodate a large number of job seekers.

The investment climate is difficult to develop when there are too many overlapping regulations from the center to the regions, and with long licensing procedures it becomes a source of unresolved problems. The Omnibus Law is a breakthrough to resolve the many overlapping regulations, even though this is something new in Indonesia, it is a breakthrough in resolving legal confusion in Indonesia.

With the enactment of the Job Creation Law, articles related to regional authority in the Main Law no longer apply. The authority stated in the article will be returned to the Central Government. These arrangements in Legal Politics can be in many ways, as can be formed with Government Regulations, Ministerial Regulations, Presidential Regulations, and other regulations concerning the authority of the Central Government. In fact, in practice the resources of the Central Government in managing regional government complexes are still minimal, especially after the implementation of regional autonomy.

Articles 166-167 of the Job Creation Law are articles that can be equated with the sweeping the universe law, which stipulates that many laws are regulated in one law and that is not easy to control and implement. This is even more so for regional governments, because the centralized regime that we once applied has changed to the concept of regional autonomy (deconcentration). The division of central and regional powers in the implementation of the Cilaka Bill is a point that needs to be further regulated. If the centralized or centralized system is revived, then we will do a setback in democracy. The current state administration practice of the regional autonomy system is starting to get more mature, this is evident in elections and the increase in welfare in the regions is increasing from time to time. So indeed regional autonomy has weaknesses, but it only needs improvement step by step, not to go back to the New Order era.

Discretion or discretion, which is better known as freis ermessen, is a form of government policy resulting from a force majeure, something that urgently requires legal political policies as soon as possible. Article 165 of the Cilaka Law changes several provisions in the Government Administration Law. On the one hand, this article makes it easier to use discretion. Discretion is interpreted as a way of providing space for state administration officials or state administration bodies to carry out government actions, without having to be fully bound by the law. However, if we take a deeper look at the Government Administration Law, there are important provisions for discretion, namely not violating statutory regulations. On the one hand, the Job Creation Law allows wide discretion with ineffective control and supervision mechanisms. This problem is quite dangerous when misused, such as collusion, corruption and nepotism. And it will be detrimental to state finances if there is no strong supervision. So this Omnibus Law still needs to be improved in the monitoring system for the implementation of the discretion itself. Do not let the Omnibus Law

on Job Creation, which is good, be misused if there is no good supervision in the use of budgetary power.

Article 164 of the Cilaka Law is basically true if the authority stated in the legislation is the authority of the President. In the constitutional law doctrine which adheres to the principle of a presidential system, this arrangement is interesting to think about. The problem is that after the reformation there is the concept of power sharing between the central and regional governments. Where regional regulations, such as regional regulations, regional government regulations are regulated by each region. This means that the president cannot thoroughly regulate regulations in the regions. Only in the principle of hierarchy of laws and regulations, it requires that the regulations below must not conflict with the regulations above. In the hierarchy of laws and regulations taught by Hans Nawasky explaining that there are high laws and low laws, in Indonesia the application of these laws and regulations is regulated in succession as follows: (1) the 1945 Constitution of the Republic of Indonesia, (2) MPR Decree, (3) Perppu/Law, (4) Regulation Government, (5) Presidential Regulation, (6) Provincial Regulation, (7) Regency/City Regional Regulation. The problem that arises when the Omnibus Law on Job Creation is implemented is the abolition of local regulations in the regions, or these regional regulations are automatically revoked by the central government. In fact, in understanding the review of statutory regulations, one must conduct a judicial review, executive review or legislative review.

3.3 Analysis of Omnibus Law Based on Legal Development Theory

Efforts to strengthen and expand the investment sector in the context of economic development have high feasibility, given the significant potential of the community, private sector and government. But the problem is, the potential that is spread over these various areas has not been planned optimally and is not properly inventoried. The implication is that it will clearly disrupt the smooth running of economic growth significantly, bearing in mind that regional investment activities, especially in the real sector, are one of the driving factors for the development of the economic sector.

In line with the context above, the participation of investors in supporting accelerated economic development not only requires support for business development, but also requires a series of policy packages that can strengthen the growth of the regional investment climate. In this way, investors and other business actors will receive certainty and a comprehensive picture of the regional investment opportunities that will enable them to invest.

The Omnibus Law on Job Creation simplifies the licensing process, with a relatively short processing process, overly complicated procedures and relatively low costs. This simplification certainly supports the investment climate, which requires that everything must move quickly to keep up with the changing times. The simplification that the author means is as follows: First, the construction of buildings, the Cilaka Law will remove all administrative requirements included in the requirements for the status of land rights, status of building ownership rights and building permits (IMB). These requirements are amended with the requirement for each building to comply with building technical standards in order to resemble the function and classification of buildings.

Second, Licensing for Investment and Business Activities, in the Cilaka Omnibus Law Law also manages Risk-Based Licensing. This licensing model necessitates a classification of businesses whose licensing requirements will adapt to the risks of the business. Risk assessment in terms of health, safety, environment, and or resource utilization aspects, is carried out by calculating the type of business activity, and/or limited resources. In accordance with the mandate of Article 8 Paragraph (7) of the Cilaka Law, high-risk business activities require a building permit. This (permit) is the approval of the Central Government to carry out business activities that must be fulfilled by business actors before the business is carried out or developed. The impact of government regulations regarding risk-based business licensing is that the government must draw

up a clear classification of types of business and types of permits to be applied. Rules regarding business licensing must be regulated in implementing regulations in government regulations.

One of the main innovations in investment licensing contained in the Job Creation Law is the investment classification based on the risk scale. This scale divides the types of investment into (1) low-risk business activities; (2) medium; and (3) high, on the basis of health, safety, environmental aspects, resource utilization and management, and volatility risk. It must be admitted that this is a good innovation in the licensing process. However, it is not specifically explained whether these aspects have priority, or have equal weight. Of course, a more detailed explanation will be provided in a derivative regulation (Government Regulation), but minimum limits are still needed to guarantee that essential matters will still be fulfilled. Another important point of this section is that there is no explanation whether high-risk business activities will be immediately banned, or licenses will still be granted. Article 10 explains that permitting high-risk business activities is under the authority of the central government. Therefore, further clarification of the rules regarding this matter will be highly anticipated.

The Omnibus Law on Job Creation has a tendency to improve the economy, and pays little attention to improving the quality of human resources. Article 88 of the Cilaka Omnibus Law states that the updated arrangements contained in this law aim to strengthen protection for workers and increase workers in supporting the world of investment in Indonesia. It can be learned that the Cilaka Law prioritizes investment and economic development which are the most important things in the development of a nation. Most of the regulations that have been amended and regulated in this law often mention efficiency and increase in labor productivity. In fact, when talking about labor productivity, the most important thing is training and training. Because in Human Resource Management, when talking about increasing the productivity of Indonesian workers it must be accompanied by intense training and training. Intense training will shape employees to be more creative and productive in their field of work.

Talking about job creation, we will talk about the quality of workers. The quality of workers can be assessed from education and training. This means that when it comes to the Job Creation Law, what must be prioritized is education and training. This means that if Indonesian workers have a good education, excellent level of training, the workers will be more productive and we will not be outdone by foreign workers. The author's concern is that if the Omnibus Law on Job Creation is passed directly, without any input/participation from the community, it will be Indonesian workers who will suffer.

Foreign workers began to invade the work environment in Indonesia. Companies take foreign workers on the grounds that foreign workers have competencies that Indonesian workers do not have. This means that the Omnibus Law on Job Creation must also focus on increasing the productivity of Indonesian workers. With a focus on increasing the productivity of Indonesian workers, whether there is an omnibus law or not, Indonesian workers will prosper. Because the philosophical basis for the existence of regulations is for the welfare of society.

In the Labor Law regarding minimum wages, it can be seen from the provincial areas with provincial minimum wages (UMP) and district/city minimum wages (UMK). So with the existence of the Cilaka Law this (UMK and UMP) will no longer apply. The Employment Creation Omnibus Law states that article 88C namely: (1) The governor sets the minimum wage as a safety net. (2) The minimum wage as referred to in paragraph (1) is the provincial minimum wage. From Article 88C paragraphs (1) and (2) we can interpret that if the Job Creation Law is a goal in the DPR, then there will no longer be such a thing as a District/City Minimum Wage, because what applies is the Provincial Minimum Wage. In fact, what we know is that the district/city minimum wage is higher than the provincial minimum wage. Article 151 paragraph (1) of the Manpower Law regulates Termination of Employment, but in the Cilaka Law there are slight changes regarding the

interpretation of layoffs. This change eliminates the initial conception of layoffs in the Labor Law which must be seen as something to be avoided. Formulation of Article 151 Paragraph (1) of the Cilaka Omnibus Law. Termination of employment is a matter of sufficient privacy between employers and workers/labourers. In addition, when labor unions have a crucial role in the event of termination of employment relations in bridging employers and workers, mediation carried out by trade unions is a way of resolving disputes to create a win-win solution. However, Article 151 paragraph (2) of the Cilaka Law changes the concept of layoffs, namely the settlement of Termination of Employment through the establishment of an Industrial Relations dispute resolution institution. The current Job Creation Law also gives more powers to employers in terminating employment without the need for agreements and/or settlement procedures that require tripartite and bipartite settlement in accordance with industrial relations disputes. Article 156 of the Cilaka Law also eliminates the company's obligation to provide compensation for rights. Assessing the importance of reimbursement money at the time of termination of employment, it would be nice if the Cilaka Law regarding reimbursement pay at layoffs needs to be reviewed, because this is to protect the rights of workers who have served the company.

4 Conclusion

First, The architectural model of implementing the omnibus law in the national legal system in its implementation requires a progressive approach to the use of legal interpretation whose reading context is not limited to the text of the law regarding the formation of laws and regulations as well as other sector laws in the m. The need to realign regulations through the use of the omnibus law method is based on a pattern of harmonizing written and unwritten laws through legal teachings.

The Second, This article demonstrates that development law is a legal theory that is realistically significant in addressing continuing development objectives and increasingly complicated social transformations. As a result, it will be relevant throughout history. On the other hand, the nature of the legal product is influenced by the current political constellation, making the projection of development law susceptible to the wills of development or power and not simply directing development. It is unclear, therefore, what criteria for change or development need to be supported by means of law. Law must be given the authority to guide change and development so that it occurs in an orderly and orderly manner if it is to have the ability to contribute to ongoing growth. The conservative function of law is to keep people's lives in order.. Second, to support the functionalization of law in development, development law encourages the need for fostering national law which includes, among other things, legal reform and legal education.

The Third, Investments in the business world in the regions are actually expected to spur regional economic growth as well as equitable distribution of people's income. With a lot of business investment in the regions, it is hoped that there will be more job opportunities that can accommodate the workforce. This will also have an impact on reducing urbanization rates. Increased regional investment will be realized if there is potential in the regions that can be "sold" to investors, both in the form of natural resource potential and human resource potential. Furthermore, what is very important is the ability of the region to sell its potential. The ability of the regions to sell must be supported by the creation of a conducive climate and support for investment in the regions, such as security guarantees and legal certainty for investments in the regions.

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